

HIS MAIESTIES
DECLARATION
To all His loving Subjects.

IN ANSWER

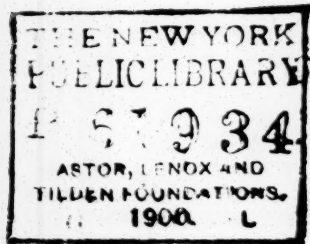
TO A DECLARATION
of the LORDS and COMMONS
upon the proceedings of the late
Treaty of Peace.

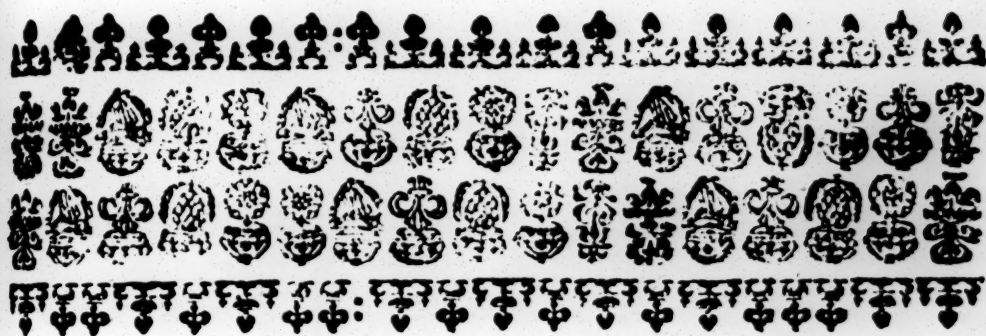
And severall Intercepted Letters, of
His Majesty to the Queen, and of
Prince Rupert to the Earle of
North-Hampton.

Oxford, 3. June. 1643.

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HIS MAJESTIES
DECLARATION
To all His loving Subjects,

In Answer to a Declaration of the *Lords and
Commons* upon the proceedings of the late
Treaty of Peace, &c.

THough His Majesty be assured, it cannot but
be of great Advantage to him to have such an
Occasion as is now given him by the late De-
claration of both Houses, to shew to all his
good People who it is that is really in fault,
that the last Treaty so much desired by His
Majesty, &c. only begun upon his desire, broke off so abruptly
(as he doubts not to doe, if those, who govern in the remain-
ing part of both Houses, have but so much Ingenuity left,
as to suffer what he saies to be equally freely publiſh'd

600 His People;) yet His Majesty cannot without great
griefe or Soule see that Treaty, which He hoped and ex-
pected should have begot the settled Peace and Happinesse of
His Subject, instead thereof beget nothing but Dupes &
Declarations ; but it will be to the Cordiall to Him, when
He shall be forced to see the desolation of this Kingdom, &
the misery of His People, That not only it is not He that
hath made that desolate and miserable, but that He is able to
demonstrate to all the World, That He hath used His ut-
most and most earnest endeavours to prevent it, as will ap-
pear at large by the following state of the Case.

After that the Conspiracy of some Persons, against the
present established Government both Ecclesiasticall and Ci-
vill, had made meanes to infuse into part of the People (by
publishing unheard of Declarations, obtain'd and putt in a
new and unheard of manner, sometimes but by eleven voy-
ces after seventeen Houres sitting, and that but in one
House) strange Fears and jealousies of the other House, and
of His Majesty, and by them given the Rise to those insuf-
ferable Tumults, and seditious unparliamentary Petitions
at once to and against the Lords, which they afterwards av-
owed publicly to protect and encourage, and forced the
Lords House, by seeing them, to seem to fear with
them, and to joyne with them first in requiring, and next
in forcing no lesse security for those fears from His Ma-
jesty (who was then in condition to have most reall Cause
of fear Himselfe) then almost all that power which the Law
had trusted to Him for the security of the Crown & the Pro-
tection of His People; After that His Majesty & most of the
Members were forced away from the Parliament, and that
His share in making new Laws was denyed to Him in any
case in which they would pretend necessity, & every Subject
that would not submit to any new extravagant, extemporar-

ry, legislative Declaration, or Order of one or both Houses against the ancient known Law of the Land, was become, sent for up, and imprisoned as a Delinquent, and whosoever would assist them, against the known Law was not only prosecuted by them in that, but in any other Case (although they were of them who had been not apparently active in those former Proceedings upon the People, which they now ascribe to His Majesty) so that to be of their side was now become a known Sanctuary; After that nothing was left undone or unsaid that might render His Majesty both weak and odious, and that all that He could say or do, to cleere Himselfe, was either suppressed or interpreted in a contrary and impossible sense (so that His very offer to venture His Royall Person against the Irish Rebels was voted to be an encouragement to that rebellion;) After that from declaring of Law, they came to declaring of Thoughts, & forgetting that *The Hearts of Kings are inscrutable*, presumed to dive into His, and without Apparence, and contrary to Truth had declared, That he meant to make Warre upon His Parliament and made that Declaration a ground to leave areall Warre against Him, and then made that Warre a Ground to beginne to make Warre upon His People, forcing away the Arms and Mony of all such as they pleased to suspect of the Crimes of Allegiance and Loyalty: After that they had so farre exprest and discovered the true end of all these actions, as to propose the totall Change of the present Government, both Ecclesiasticall & Civill in the nineteen Propositions, as the onely way to Peace, and that His Majesty might by all this have been sufficiently perswaded, That it was impossible for Him to obtaine a Peace from them but either by submission, or by the Sword; yet after all this, His Majesty was so averse to the latter Course as to descend to so great a Degree of the former, as from Nottingham

~~have~~ to propose to, and desire from them a Treaty for Peace
 and being there twice openly and absolutely refused it, did
 yet then declare, That He would notwithstanding be ready
 to receive it whensoever they would propose it. And to
 show, that these Offers proceeded not from His Condition
 but His Inclination, after His Victory at *Edgehill*, and after
 that the Earle of *Essex* had so far forgot his Errand, as to
 returne to *London* alone instead of bringing up His Majesty,
 & those His good Subjects, whom they call'd Delinquents,
 His Answer at *Colebrooke* will shew to all the World, that
 He was still of the same mind as when He sent His Messages
 from *Notttingham*, and His Message so carefully sent from
Colebrooke to prevent all misconstruction of that March of
 His, which they had necessitated to *Brainceford*, and His
 pressing still that a Treaty might goe on in that and severall
 other Messages, all slighted & neglected, showed sufficiently
 who really was desirous of, and who were averse to Peace.
 But when the Petition of so many Cittizens, That a Treaty
 might be accepted, finding so little countenance or accep-
 tance from the House of Commons, and the Injuries and
 Imprisonments which the Petitioners suffered for it from
 Alderman *Pennington* and others, finding so much coun-
 tenance from them, did so farre begin to open the Eyes of the
 Peop'e, That the Aversion to Peace began to be impaired
 to them who were truly guilty, and that they found this
 Discovery made men generally unwilling to part wth their
 Money to make themselves miserable, and that again encour-
 rag'd many of the Members to appear for Peace too, and
 that consequently their too open and avowed Desire of
 Warre would but render them unable to continue it, they
 thought it necessary to make some Propositions which might
 deceive the People so farre as to make them believe they
 desired Peace, and yet resolved to make them so unreason-
 able,

able, if they might notwithstanding be sure to be out of all danger of effecting Peace by the n, and sent those downe to His Majesty. Which though they pretend now to be such as no indifferent man will find any thing contained in them but what was necessary for the maintenance and advancement of the true Protestant Religion, the due execution of Justice, the Preservation of the Liberty and Property of the Subject, and the establishment of the Kingdome's Peace and Safety; yet His Majesty is confident that even those who are not very indifferent are yet able to see, that no Proposition could be more unreasonable then those fourteen, except the former Nineteene.

To passe by the Preamble, (in which most unnecessarily they lay most heavy and most unjust charges upon His Majesty, and yet draw an Argument of his Aversion to Peace, from those known Truths, which either His Defence or the matter in Question, Crimes being impossible to be spoken of but as Crimes, did after extort from Him) would not any man have expected, that had observed with what violence this warre was begun and prosecuted against His Majesty, to have found in the Propositions for Peace the Demonstration of at least some, and those very important Rights, which were withheld from them before the Warre, and so had given some colour for it? But of these there appears not so much as one, and yet till all these are granted & performed, they doe as much as say in Term p'laine enough in their conclusion, That they have not any Hope, nor will use any indeavours that His Majesty and His People may enjoy the blessings of Peace and Justice; which was certainly by terror of Armes to demand new Lawes, and as great a Proof that they did so, as they seem to confesse it unpardonable if they had done it. Is not the taking away of Bishop, Deanes and Chapters, and indeed the whole establishment:

blith Ecclesiasticall frame of Order & Government, a new Law? yet unlesse His Majesty will yeeld to take it away (though there were but five Lords present when the Bill pass'd, and though no other forme be yet offered or showed to Him, but the Presbyterian, and Independents are left to fight it out among themselves, what shall succeed in the place,) His Majesty is told, He must not hope for Peace. And the Division likely to ensue between different parties, what shall after be introduced, shoves sufficiently what Hope there wou'd be of Peace, if he should passe it.

Are not the bill against scandalous Ministers (in which most of their own Faction are appointed Commissioners, that they make way for and introduce a new Clergy of their owne;) The Bill against Pluralities (which makes no Difference of Conditions, or merits of Persons, or of value of Livings, and lookes not only forwards, but extends to the immediate dispossessing of present Incumbent of what is vested in them for their lives by the Law of the Land;) The Bill for a Consultation of Divines (Persons of their owne Choice, and most of them of their Faction, and of no esteeme but with themselves, hardly at all bounded as to the matter, & absolutely unlimited as to the time of their Consultation,) all new Laws? Is not the setting of the *Militia* both by Sea and Land, and the Forts and Ports, in such a manner as shall be agreed on by both Houses (in which His Majesty is expected with a blind implicite Faith to trust them with the whole Power of the Kingdome, and with His only meanes of defending Himselfe, and protecting His Subjects, though into what hands, or for what time, or in what manner they will order or dispose of it is so farre from appearing to Him, that it doth not yet appear that both Houses know themselves, and how they have already us'd that Power is knowne to all the World) both a new and a

strange Demand ? Are the Earle of *Bristolls* Removall and Exclusion from all possibility of Employment, (a Person uncondemned, unimpeacht and untumond, no Crime or error either proved or but named against Him,) or the Choice of the Judges and Master of the Rolls, the Change of Commissioners of the Peace, and *Oyer and Terminer*, or the restoring of Members of the Houses, even to such meniall Places of Service, as required a personall attendance, and who had yet refused to attend upon Command ; Or the assenting to whatsoever Acts He shall be advised for paying of Debts contracted upon the publique Faith, that is, by the Authority of both Houses (by which His Majesty must allow Himselfe to be no part of the publique, and must directly allow, and as it were ratify that Rebellion which this money was raised to soment) either due to them by Law or reasonable in themselves ?

Doth the directing His Majesty with whom and how far to make Alliances belong to them ? (or was that at all necessary His inclination with the strictest bands with Princes and States of the Protestant Religion being by the march of His Daughter sufficiently expressed ?) And yet till all this be done, and unlesse He will pardon all that have borne Arms against Him, and leave those that have assisted Him to their mercy who have none, they will not promise any hopefull endeavours for Peace and Justice. But is there any thing else that is due by Law, which was before denied, and is here demanded, that can in any degree justify or extenuate that ever Peace was broken and Justice destroyed ? Not so much as one Tittle. Did His Majesty give any Commission till they had mustered many Men ? Or did he so much as take any Guard to him, till both they had had a much greater many Moneths, and had of their owne Authority ordered a Sergeant-Major-Generall of their City For-

ees, and till his *Magazine* and *Town* were by Arms kept against him, though he were provoked to it before by all the other Indignities and Injuries, which Inolence and Injustice could devise? Was not Sir *John Hotham*, for all his known Treason, refused to be left by them to Justice and the Triall of the Law, before ever any that was but call'd a Delinquent was protected by His Majesty? And was not His Majesty then denyed that, which themselves confesse to be the Due, & Right of the meanest Subject, & do so far expect, as to look upon it rather as a scorn then a satisfaction, now His Majesty offers it to them? Was any one Papist armed by His Majesty before many of that Religion (and multitudes of Persons against whose Recusancy the Law is as severe as against theirs) were armed against him? Or then either, untill their meere being of that Religion made them without Colour of Law be p'under'd and imprison'd in all parts, and some of them fly into his Army for Protection? Did not His Majesty before of himselfe often offer to vindicate the Priviledges of Parliament from any imaginable Breach of them in the businesse of the Ld *Kimbolton* and five Members? And did he not offer to wave their Charge, willingly submitting it to the publique Peace? So that the obtaining that Demand, or the Disbanding of the Army, or the disarming of Papists, or the Tryall of Delinquents though they make some such show, as they are set in this place, yet not any of them were any grounds of this their Warre; And all that is due in these Demands having been offered before the Warre, or occasioned or necessitated by it, and being still to be had without it, the whole People cannot but see, that nothing but Feares and Jealousies have been the fumes with which they have so intoxicated his seduced Subjects, as to contribute to their owne misery to obtaine no one Right, how small and inconsiderable soever,

ver denied to them by His Majesty, and that the maintenance and advancement of Religion, Justice, Liberty, Property and Peace, are really but their stalking-horses, and neither the Ground of the Warre nor of these Demands; which will appeare to any indifferent man that shall duly weigh them, as farre from being moderate as from being necessary.

Yet such was His Majesties most earnest Desire to catch at any thing that by producing a Treaty might settle a Peace, and so farre were any such enemies of it (as are supposed by this Declaration) from being prevalent with him against this desire, That His Majesty proposed that Persons should be appointed by His Majesty and both Houses to Treat even upon these very Propositions, and such other as His Majesty proposed, which were only Demands according to, or in behalfe of, the Law established, and which more concerned his Subjects then himselfe: and His Majesty cannot but appeale to all the World, whether not only any of their Propositions did, but whether any other Propositions that could be devised could expresse more desire of the maintenance and advancement of the true Protestant Religion then His Majesties fourth Proposition, (in which his Readinesse to Consent to the Execution of all Laws made, and to any good Laws to be made for the suppressing of Popery, His Desire that the Lawes already made to preserve the Common-Prayer from the scorn and violence of Sectaries be backt and fortified, and his Offer at the same time that tender Conscience be eased by it, are so cleerly and carefully exprest and untied.) Or of the due execution of Justice then His Majesties fifth Proposition, (which referres all such Delinquents as shoud by the Treaters be excepted in the Pardon, to the usuall Course and known Law of the Land.) Or of the Preservation of

the publique liberty and property (for His Majesty conceives that He hath a property too, without maintaining of which he will never be able to defend his Subjects) then his first, second and third; Or of the Peace of the Kingdom, then his sixth Proposition, which by restoring his Subjects by a Cessation to a short Tryall of the quiet and benefit of Peace, would have rendred them so farre in Love with that almost forgotten happinesse, that seeing nothing demanded by them that was worth a Warre, they would have had a hard work to have engaged them again into so unprofitable a madnesse. And His Majesty is so confident of His Advantage in all these, that he conjures his Subjects seriously to read, consider, and compare what he, and what they demanded, and by their different Propositions to judge of their severall intentions.

And indeed, the violent Party both in the City and the Houses (which for all the publique Feares and Jealousies they pretend inwardly and really are fearfull and jealous of nothing so much as of Peace) dislike nothing more in his Majesties Propositions then the moderation, and suspecting that the reasonableness and unreasonableness of what His Majesty and what they acknowledge, would but too generally appear by the Discussion of both in a free and open Treaty, and so might in despite of them produce a Peace, earnestly and openly oppose the Treaty, and so farre oppose his Majesties proposition of Cessation, that it sufficiently appeared by their aversion to the shadow of Peace (as themselves call it) how much and how heartily they were averse to the substance it selfe. But when they found that they could perswade no man to joyne with them in rejecting all imaginable manners of Treaty and Cessation, that did not joyn with them in abhorring any imaginable manner of Peace, they reserved their Authority to enable them to
break

break of both, upon some somewhat more plausible difference in the Circumstances and Conditions. A safe Conduct is demanded by the Houses, and their first Art is to get the Lord Say named in that Demand for a Treator, which they know certainly (he having borne Arms against His Majesty, and been excepted in one of his Proclamations of Pardon) his Majesty must except against; but when they could not persuade even both Houses (who well remembered an example of no elder date then since His Majesty was at *Colebrook*, when the same exception at the Person of Sir *John Evelin* was made by His Majesty and not excepted at by the Houses) that this exception was so unparallel'd a Breach of Privilege, as to deserve to hinder the Treaty from going on: their next Arts are so to bound and limit their Committee both in the Manner, Matter, Time, and Power, as might wholly render it uneffectual; And, to that end, they first obtain that their Committee should Treat with none but with His Majesty, (a Course which how lofty, how advantagious, and how unreasonable soever, yet His Majesty out of his earnest desire of Peace, contrary to their hopes and expectations, was contented to admit) and next obtain that they should not Treat upon any Poynt but of the Cessation, till that were concluded, and for that allowed but foure dayes, & that at twice, (in hope that some matter of Advantage might happen in the time of that delay) and allow them no Power (without still sending to the Houses upon every occasion) to conclude farther then the Papers they brought downe or delivered, or so much as to explain or new-word any thing in them, (a new and a strange way of Treating, and by which at that distance it was wholly and plainly impossible that any thing should be concluded;) and when His Majesty had quitted all where- in himselfe or his Army were solely concerned, and yeel-

ded almost to all that they proposed, and at last insisted upon nothing but that they might not make use of the Leisure of their Army occasioned by this Cessation, to force what summes they would, from what Countries they pleased, (for they neither would nor could name any other bound of their Taxes then their pleasure, when they imputed that assertion to *His Majesty*) and so extreamly burthen his Subjects, and advantage and enable themselves against *His Majesty*, (in contradiction to the Principle laid down by themselves and approved of by *His Majesty*, That by the very nature of a Cessation, matters should have been preserved in the state they are, and neither party have Liberty much to advantage himselfe,) nor yet insisted any farther upon that neither, then to leave a Roome still for satisfaction (if any Reason could be offered against so reasonable a Limitation) by a continuance of the Treaty concerning it, They vouchsafed him no Offer of any such Reason, nor allowed their Committee any farther time or Power to treat concerning it, without expressing any better cause for so abrupt an end of so important a debate, then to avoid the Wast of Time; though *His Majesty* could not conceive that could be call'd a Wast, or how time could be better spent, then to settle such a Degree of publique Peace, as might reduce the minds of all men to such a Temper, as might make a full Peace much more probable.

Nor did *His Majesty* find in the Treaty it selfe, that the Committee were any better enabled, though (to avoid delay, and that a Conclusion might be made possible) *His Majesty* often desired it; They were limited twice to seven dayes, and once to seven; They were bounded to two Propositions, and to their bare narrow instructions concerning those; nor had they so much as any Power or instructions at all concerning that most important part of their own Pro-

Proposition so often prest by themselves, *His Majesties returne to His Parliament*; so that resolving (as it will be after shewed they did) to yeeld no farther to His Majesties Proposition then with such Limitations, as would in effect retain what they seem'd to give up, they expect that His Majesty should entirely yeeld to theirs without any Limitation, and (to invert their own Words upon another occasion) should yeeld to that, which would have produc'd to them an absolute victory and submission, under pretence of Agreement and Peace; It being evident to all men, That His Rights forc't from him by violence being not absolutely restored, his Army being disbanded, and he returned to London, the Members of both Houses for dissenting from them, and assisting of him remaining expell'd, no security from Tumult: for the rest of the Members being given, and all good Subjects being torally discouraged by so absolute a Prevalence of the Factionous and Rebellious, His Majesty were as much in the disposall of the five Members as if they had him in the Tower, and he ought His Crown wholly to their Grace and Favour, if they did not depose him. And yet they would be thought to desire nothing in desiring that the Armyes should be upon those Terms disbanded, but only that the Kingdom might be eas'd of their burthen, and the spring of these Calamities might be stopped,

His Majesty demands that his own Revenue, Magazine, Townes, Forts and Ships, taken by Force be restored to him; The Revenue (which they could easily pay back out of other mens Purfes) they easily agree about, but to part with such streights which had and did help to enable them to leave no Subject any more of his Right then they had to the detaining of these, they can by no meanes endure. And therefore they propose such Limitations, as in effect
limit

limit away all, and yet may seem to the vulgar or to the careless not to signifie much, to wit, That these strengths may be put into such hands as they may confide in, and that for no lesse then three yeeres; That the Commanders may during that time not admit of any forces upon whatsoever occasion without Consent of the Houses, and they and all Generalls and Commanders of the Armies on either side may swear, to preserve the Peace of the Kingdom against all Forces raised without consent of both Houses, and this for no limited time. His Majesty who had askt nothing but what was his by Law, and who in order to Peace had not askt so much as by Law was due to him, (to wit, the Punishment of those who had taken these things from him) could not but wonder to see such things askt of him, to which by Law there was no pretence; he therefore endeavours to limit their Limitations to the Law of the Land; he names those Persons to this Custody, whom the Law had named first, and exprest himselfe most willing that they should be put out at the same doore they came in; That the Law, which had vested them, might eject them, if they had offended against it, but expected not that the injury done him, of taking these things from him and them, contrary to Law: should be a reason why any new Conditions or Limitations should be laid upon him or his Ministers which the Law laid not. To this the Committee replies, not denying what the King askt to be legally his, or to have been illegally taken from him, nor making any legall or so much as colourable, or at all any exceptions against the Persons legally vested in those places, (and without any Cause shewed, it would have ill become His Majesty to have devested his Servants of their Rights in the instant, when some of them are venturing their Lives for his Service) but retire to their old inaccessible Fort of Feares and Jealousies

Jealousies. To this His Majesty rejoynes, shewes what He had done to prevent & destroy Feares & Jealousies in them; intimates what they had done to create Feares & Jealousies in him, That having by force taken these things from him when he had them, he had more Reason to have insisted upon further security to enable him to keepe them, then simply to desire them to be returned to him, (and much more then to grant them more hold of them, to enable them the better to wrest them from Him againe) represents to them; that by the same Reason, upon the same Ground, they may aske Him all his legall Power, since all the Power vested in Princes for the necessary Protection of their Subjects may possibly be employed for their hurt, & concludes in his Opinion with a very wholsome Advice against that dangerous (and now too Epidemicall) Disease of Feares and Jealousies, and prescribes to them to make the Law their Rule and measure, as the best Antidote and Cure for that disease.

This insisting upon this Answer, as His Majesty for these Reasons thought to be most reasonable, so He likewise thought it most necessary; first, because themselves having told Him in the Debate about Cession in the Point of Ships, That for them to allow him the Approbation of Commanders was to give him up the Strength, he cou'd not want Logick so much as not to draw this Conclusion from these Premises, That for him to allow them the Approbation of the Commanders both of Magazines, Towns, Forts and Ships, was in that to give all back to them, which they would seeme to restore to Him. Secondly, because His Majesty by now consenting upon the ground of Jealousies to such Demands as exceed Those, which (before they had joyn'd the Injustice of forcing these things from Him, to the unreasonablenesse of demanding them) His Majesty

in his weakest Condition denied to them, he must appeare to justifie those Jealousie, to approve of those Demands & of that Injustice, and to condemne Himselfe as guilty of the wofull effects of that Contention, for not having sooner consented to them. Thirdly, because he must condemne the Lords House of the same Crime, for having twice refused to joine in that Demand, and having had no Jealousies as long as they had no Tumults. Fourthly, because he must either quit, during the lives of these severall Persons require to be sworn, and at least for three yeares (when the *Militia* in their own Bill was ask't but for two) His knowne Right of Sole raising men, and without the consent of both Houses (even although no Parliament were sitting, for the Bill that saies it may continue, does not say it must) he must neither be able to discharge his Duty to himselfe by his own Defence, nor make good His Oath by the protecting of His Subjects against any suddaine, dangerous Rebellion or Invasion, or the Commanders of all His Ships, Townes, Forts and Magazines, and all the Commanders of both Armies (that is the most considerable *Militia* of *England*) must according to this new Oath oppose any opposition He shall make, & must be equally obliged by it to fight against his Forces, as against those of the Rebels or Invaders. Fifthly, because if He should give them so great a Prerogative for so long a time as this share in the choyce of men to places of so high Power and Trust, the Dependance of Subjects upon the Crowne would be much diverted, and he could never expect to be faithfully served, when no other Crime of theirs appearing to him, he should so farre devest the present Proprietaries of their legall Right, as to submit it anew to the Arbitrarines of their Choyce, who have given His Majesty no greater cause to confide in their Choice. Sixtly and lastly, because if He should allow them

them that Power for that time upon that Reason, he cannot doubt but against that time were ended, the Sweetnesse of Power being once tasted, they would be so unwilling to quit it, that the same powerfull violent Party would not want the like feares to beget the like demands of the same or greater Interest in the choice of the same or greater Places; and the same Consequences would not likewise faile to follow, if those Demands were not contented to, and even his good Subjects seeing it the most prosperous, might be induced to thinke Faction and Sedition the wisest Course; and when they saw His Majesty give such an encouragement to Rebellion might thinke it Pitty he should ever be without one. And His Majesty conceives Feare and Jealousie may be a good Reason to make him cautious how he part with his Right, though a very insufficient Justification of their forcing that from him; so which they could pretend none.

But still His Majesty hoped, that they only insisted upon such Limitations of his Proposition, till they saw what Limitations he would offer to theirs, and therefore to reduce them to moderation by his Example, *He* proposes to the Houses (for the Committee had no Power or Instruction to Treat of the principall Point of it) no other limitations then were both due by Law, and necessary in themselves, and offers as soone as he was satisfied in his first Proposition, (to which if they would have put him in mind of any such objection in the Treaty, he would never have required that the exact Computation of his Revenue taken from him should be agreed on before disbanding, which is now objected to him, not as an Injustice, but as a purposed Delay) as soon as the Houses were restored to that Condition in which they were before the Tumults, and these Distractions forced the Members from thence, and as soon as he and those Houses were secured from Tumults, only adding his own Opinion,

nion, That adjourning twenty Miles from *London* could not only effect it, and offering them the Choice of any place at that distance in His whole Kingdome) he would immediately disband and return to His Parliament; and expected much more that this Message when it was received at *London* should have met with Bells and Bonfire, then have received neither approbation nor Answer.

But that violent Party which looks upon Peace like a Monster fearing least if the Treaty should any longer continue, to insure an Approach to Peace, might by degrees steal it on upon them before they were aware, prevail to returne no other Answer then immediately to send for their Committee from *Oxford*, and to send the Lord of *Essex* to *Reading*. His Majesty waites a while, and again in a Message He had Occasion to send to the Houses concerning *Ireland*; he takes occasion to put them in mind of that former Message, and to renew his Expressions of his Desire of Peace, but this Message had no better lucke then the other, for no Answer hath been sent to it, only instead of an Answer, the same violent Party makes a shift to goe a step or two higher, and to prevail in the House of Commons to vote Excises upon Commodities, and the making of a new Great Seale, though the making it will be Treason by the Statute of 25 of *Edward* the Third, (and an Order of the House of Commons will be but an insufficient Plea against that Statute.) And though they might have remembred that it is by the old one that both most of them hold their Lands and all of them are call'd to that House. But since His Majesty would not allow them a share in making of Peeres, (as they askt him in their nineteen Propositions) nor allow of their Choice of Justices of the Peace, (as they askt him in their fourteen) and did still pretend to making of Sheriffes, (which they have denyed him by their Votes) It seemes they

they thought it necessary to make that which (if it could be made legall by voting) would make all those, and to end the dispute about His Majesties Negative Voice, by passing by Commisſion what new Bills they pleas'd and so to obtaine as absolutely an unlimited Power over their Fellow Subjects as over their Sovereigne Himselfe.

Yet His Majesty would take no notice of all this, but sends once more a Third Message to desire an Answer to His First, (which had then layne in their hands above a Moneth) This Pressing for Peace appeares so intolerable to them, that the House of Commons (as the best way to make a finall end of all such Messiges, and indeed to cut off all Entercourse) is prevail'd with by these men to commit the Messenger, and the next day to impeach His Majesties Royall Consort of high Treason, as if they would give Him a fair Warning how He trouble them about Peace again, least his Turn be next, and they impeach him too. But though they vouchsafe His Majesty no Answer, yet the People is still thought worthy of some Satisfaction, and that produces this Declaration, which pretends fully and sufficiently to show, that in the Treaty their Demands were such and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto, and His Majesties were such as had neither Reason nor Justice either in the matter or manner of them, and such as left the People no hope or expectation to see an end of their present Calamities, & charge the King through His Counsellors in many Circumstances before it & during it, to have labour'd to interrupt the Treaty, & to have appeared averſe to Peace; and in this Question His Majesty is content to accept of the Arbitrarour they themselves have chosen, and to referre it to the People to judge.

Their first Argument is, that this Treaty is for the disbanding of the Armyes and Forces in opposition to each other,

That these Townes, Forts and Ships are a great part of their Forces, so that for them to restore them absolutely to the King, would be for them to disband totally, and for His Majesties forces to continue. To this His Majesty answers, That this Treaty was intended by Him to be in order to a firme and serled (that is a just) Peace, and never to be such wherein a pretended equality should exclude evident Justice. Let equality determine the manner of the disbanding of the Armies raised upon these distractions, but let Justice restore what violence hath taken, and determine of known undoubted Rights; since by this Argument, if any Prince sease upon any strength that belongs to His stronger Neighbour, and Armes be taken up upon it, the stronger must never (in a Treaty, when the Armies are to be disbanded) expect to have his strength restored to him, least the other returne to be what he was, and what he ought to be, that is, the weaker of the two. Secondly, His Majesty answers, That by the same reason of Security, other Power and Prerogatives being strength as well as Forces, and neither more vested in him nor lesse possible to be used for the Peoples hurt, they may as well require a share and interest in those too, and that thing may be made sufficiently equall between the sides, may expect to be as much King as He. Thirdly, in their own opinion and by their own confession, as it appears by their Argument used in the Cessation in the point of Ship) If they be but allowed the Approbation of Commanders, His Majesty gives up this strength to them, & not they to him, & it will be their Forces and not his which are to continue undisbanded, and that they say to be contrary to equality, and as they came by these Forces) it is evident to be contrary to Justice. Fourthly, His Majesty answers, that these Forces are not so great, or so great a strength of the side that shall possesse them, but that the

the Arts, Union, Industry and Violence of that party was so much too strong for His Majesty when He had that strength, as to take that strength from Him, and therefore His Majesty wonders they should make any difficulty to restore, what it may appear by so fresh experience, that they are so able to refuse; and therefore His Majesty hopes His People will attribute it to His great desire of Peace, that He did not demand some farther security to enjoy that which is not denyed to be His Majesties. And His Majesty observes that both this and the second Answer were given by His Majesty to the same Arguments made upon the same occasion by their Committee in the Treaty, and yet this Declaration repeats the same Arguments, without replying to those Answers. Firstly, His Majesty desires that the Difficulty with which His Majesty rais'd His Army, and the Ease with which they rais'd theirs, may be considered; how impossible it would have been for Him to have rais'd forces, if they had not rais'd first, and how much slower (this Army being disbanded) He could raise a new one, and how quick and ready their Body of fierce, eager Sectaries and Schismatics would be to returne into an Army upon the least Call, and how conveniently they inhabite for so speedy a meeting, being to continue most of them in or so near *London*, that their Quarters in Warre were usually much more distant then their dwellings in Peace; and then His Majesty doubts not but it will appear, that in this respect too the reall and totall Disbanding is of His Majesties part only, and that in effect the Continuance of Forces is still of theirs.

Their Second Argument, Why His Majesty should admit of their Limitations, is a Bundle of Precedents. To which His Majesty replies, First, that the Records which are here quoted for these, are now in the same hands as His Majesties

Majesties Magazines, Townes, Forts and Ships, and there-
 fore knowes not how he can either have their Truth suffici-
 ently considered & examined, or without it confide in their
 Quorations. Secondly, all the particular Circumstances
 both of matter and time, what induced it, and what follow-
 ed it, doe not herein appear, (though very necessary to be
 known, that they may be possible to be answered.) But this
 His Majesty can find upon view; That some of them con-
 cerne not any part of what is now demanded, but one of
 them concerns a Chancellor, Treasurer, and Privy-Seale
 and another concerns Privy-Councillers, and another
 the Protectorship, another the choyce of some without
 whose Advice, or of foure of them, nothing should be done
 by the King; (which it seems they have an eye upon de-
 manding too, which made them run so much in their Heads,
 who collected these as to put them in here;) That some
 concern not the Persons now demanding, but conclude on-
 ly for the Merchants, to chuse an Admirall, and not for the
 Houses to confide in him; Which precedent may be of
 some use to the Common-Councell, but of none to the
 Parliament; That some are of no Concern at all, as only a-
 bout appoynting of Clerks for payment of wages, (yet put
 in to increase the Bulke) that hardly any of the Precedents
 that concern any of the things in Question, concerne any
 more then part of those which are altogether demanded in
 the Limitations desired; some concerning only the Com-
 mand of Ships, (and those too not granted by Act, but by
 Commissions; and that, for ought appears, only during p'ea-
 sure;) some extending but to one Town or Place, as *Berwick*
 or *Jersey*: That most of these Precedents appeare to have
 been when the Kings were in Minority and under Prote-
 ctors; some when they were in extreme Age and Impoten-
 cy; some in the Reigne of a King who was shortly after de-
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posed in Parliament too, (an unlikely Circumstance to invite his Majesty at this time to follow that example;) others in his Reign, who succeeded him, and (having no Right to the Crowne but the Criminal consent of both House) had reason to deny them nothing who had given him All. And of some of the Precedents now quoted, the Inconveniences are known to have been so great and so suddenly found, that they were so speedily revoked in Parliament (with no lesse a Brand then as being contrary to the Customes of the Realme, and to the blemishing of the Crowne) that if they had ingenuously added those Circumstances, these Precedents would more have justified His Majesty for not yeelding, then them for either asking any thing towards those, or but for quoting them at all. But doth any of these Precedents tell us, that these Parliaments claimed any Right in any of these, or that any King yeelded any degree of Power in any one of these Poynts to both Houses, when they had first taken them from him by force, and rais'd an Army by Ordinance against him, and he was in a Condition to resist what they had rais'd? And if either any of these Kings were so much in their Power, that his Consent was as much forced from him as these Particulars were forced from His Majesty, or if they were so farre out of Danger of any farther Enchroachments upon their Power, that he could have no cause of Feares and Jealousies in granting some of these to them, nay that their advice in the Choise arose wholly from His Majesties Desire and not their Demand, then the Precedents fit not to this Case, & so make nothing for their Purpose. But now that the perpetuity of this Parliament hath so farre encouraged those, who by Arts and Violence have gotten power over it, that they may probab'y hope to make this Power as perpetuall as it, and have given so sufficient Evidence, what farther use they would make of any

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Power, His Majesty supposes Himselfe to have more reason to be cautious, in that point then any of His Predecessors, who were content to share any part of this power but for once, with but a temporary Assembly; especially since their severall Propositions have shewed how much more they wish, and M. *Prinnes* Bookes (Printed by Order of a Committee of the house of Commons, signified by Warrant under M. *Whites* hand) have shewed how much more they pretend to; and since any Grant of his is desired by these men, but to enable them to obtain the rest of their pretences or desires, what He yeelded to them concerning my Lord of *Essex* and Sir *John Coniers* being Lieutenants of *Yorkeshire* and the Tower. being prest in these very Precedents as an Argument to Him, why He should grant all they aske now. On the other side, if His Majesty should make use of their own kind of Weapon, and doe the same, or as great things, or make them the like or as great demands, as their Predecessors have tacitely approved of, or directly assented to when they were done or made by his, (as in the just famous time of Queen *Elizabeth*, in the case of *Stanhope* and *Savile*, or in the same time in *Wentworths* case; or in the Reigne of *Henry* the Eight, in the power given to Him to dispose of the Kingdom by His Will and Testament, and others of the like and neer as high kinds;) He believes both Houses would think what others then did, to be no Argument to perswade them either to approve or consent, but would rather for ever wave all Arguments from Precedents, then direct themselves by the same Rule.

Their Third Argument is, That His Majesty had formerly exprest that His Forts and Castles should be only in such Hands as both Houses might safely confide in. And His Majesty expresteth still as much; and till some just Legall cause be shewed Him why the Persons now in those

Commands cannot be safely confided in by them, He conceives they might safely confide in them if they pleas'd. But His Majesty did likewise once say, He would put all those Places, both of the Forts and *Militia*, into such hands as both Houses should approve or recommend, unlesse such were named against whom he had just and unquestionable exceptions. To which His Majesty replies, That His offer not giving them satisfaction then, (for they would then limit no time for the *Militia*, which was the condition of that offer of His Majesties) and since it seems it would give none yet, for they now aske no lesse for the Ships then for those, and more for both, as to the Time and other Circumstances, then He then offered for these) and they, by forcing those places from Him since, and some of the Persons legally vested in those places, by their faithfulness to him in this Warre, having given him so much more cause not to yeeld to it now, he conceives the Case to be so altered by all these differences, that though, out of his earnest desire to satisfie them as long as He thought them capable of satisfaction by it, he then intended what he spoke, yet he may insist upon what he now insists, without being said to have receded from his word. Did not they refuse to accept of four Persons named in His Majesties Bill concerning the *Militia*, which themselves had but newly offered him in their Ordinance concerning it? And had those Persons in that time given them so great cause for that refusal as His Majesty hath had given him for this? And yet will they confesse that ill Councell prevail'd with them to recede from their words, and that therefore His Majesty had the more Cause to be farther secured?

Their fourth Argument is, That unlesse these limitations be granted, those secret, and wicked Counsellors, that have been instruments of the present miseries, will have the

disposing of those Places, and His Majesty carry but the Name. To this His Majesty replies, That knowing who have been the Instruments of these miseries, He shou'd by that beleeveth the secret and wicked Counsellors spoken of to be the active part of the close Committee, for if He have any wicked Counsellors about him, He confesseth they have cause to call them secret as well as wicked, since they have not only wholly concealed themselves from him, but he having often press't to have some named, could never obtaine from them the name so much as of one, nor since hath heard so much as one Proove or Charge either of being wicked Counsellors, or of any Legall Crime against any of his Servants whom they have named, though they have publisht them withall to be incapable of pardon. However He finds that if what they say were true, the ends of these Counsellors and of their violent Party is but just the same, that is, to dispose of these places, and that his Majesty may only carry the Name.

But they have found a Letter of His Majesties to the Queen. Which shows that the great and eminent places of the Kingdom are disposed of by her advice, (and then conclude from her Religion, that they are by consequence disposed of by the advice of Papists and Jesuits) and that the Persons there named, even during the sitting of Parliament, are either all impeacht by them, or bear Arms against them. To this His Majesty replies; First, that he cannot but deplore the Condition of the Kingdom, when Letters of all Sorts of Hu binds to Wives, even of his Majesty to his Royall Consort are intercepted, read, brought in Evidence, and publisht to the World. Secondly, That if they will remember how farre many of those Persons of both Sexes, who have received most notable marks of favour from her Majesty, are, even in their own Opinion, from so much

much as inclining to Popery, they must confesse her Favour and Recommendations not to be disposed of by Priests and Jesuits. Thirdly, That the places there named in which her Majesty's advice may seem to be desired, are not places (as they call it) of the Kingdom, but private meniall Places, a Treasurer of the Household, a Captain of the Pensioners, and a Gentleman of the Bed-chamber; That concerning the other more publique Places, His Majesty absolutely declares himselfe, without leaving Roome for her Advice, which seemes to prove the contrary to that, which by this they intend to prove. Fourthly, That of the Persons there named, there is not one that either is a Papist, or so like one, that a Jesuit may be thought to have recommended him, nor any one (except the Lord Digby) that was either impeacht, or otherwise taxed, or that could appeare to His Majesty to have ever been in any degree dislik't by both or either House, before assisting His Majesty against a Rebellion did lately become Treason; and whoever considers the Time and other Circumstances even of that impeachment, and that their eyes were then so dazeled with Feares and Jealousies as to take a Coach and six Horses for an Army raised against them, will hardly looke upon that impeachment with that Reverence which hath usually been paid to Accusations of that kind: and for their bearing of Armes in such a Time, wherein all His Majesties Subjects doe either beare or assist Armes, either for or against Him, He supposeth that it will not be thought strange, if he chuse Persons for such Places as are in his owne Disposall, rather out of the first sort then out of the second.

And as His Majesty hath fully answered their Observations upon His Letters, so He beleeves that one thing more (though unobserved by this Declaration) cannot but be observed out of them by His People; and that is, That in His

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Majesties most private Letters, to the Person neereſt to *Him*, wherein *He* cannot (as by ſome in his publique Declarations *He* is) be ſuſpected to ſay any thing out of Deſigne or Policy, *His* own cleare perſwaſion that the Rebels, and not *He*, have been the Cauſe and are the Foſterers of this War and univerſall Diſtraction; and His Senſe of it, and his Deſire of the end of it, are ſo plainly expreſſ'd, that they will by this Accident be much ſatiſfied with his Majesties Innocence and Reality, and beleve that the reading this in ſuch a Letter, is the very next degree to reading it in his Heart.

Their fifth and laſt Argument is, The Attempts of Force and violence againſt the Kingdome and this Parliament, and they inſtance in four. The firſt is, a Deſigne many yeares ſince, to bring into this Kingdome the *German* Horſe, to compell the Subjects to ſubmit to an arbitrary Government. And to this his Majesty replies, That he eſteemes his Condition more miſerable, then that of any of his Subjects, when he ſees a few factious Perſons have obtain'd that Power, as to be able to publiſh to all his People, in the name of both houſes, a Charge, which (comming forth with the ſemblance of ſuch Authority) may much work with them againſt him, and yet doe not (which is certainly becauſe they cannot) tell any one prooffe or particular, either Whence, Whether, When, by Whom, or by whoſe Deſigne this Horſe ſhould have been brought? They confeſſe it is many yeares ſince, and it ſeems it is ſo many, that theſe particulars are all worne out of the Memory of Man.

The ſecond is, The endeavour to bring up the Northerne Army by Force and violence to awe the Parliament. To this his Majesty hath ſo often answered, and received ſo little Reply, that *He* will only now briefly ſay, That according to the Evidence they have publiſht themſelves, (and that before hearing the Perſons concerned in it, after ſo long

time of the Houses leisure and their Attendance, whose Answer, it was perhaps feared, would have cleared it more) it doth not appeare that there was ever any Endeavour used in it, nor any thing further then a meer motion, which died as soon as it was conceived; and it doth appeare that His Majesty absolutely dislik't it, as soon as by way of Discourse it was but named to Him: But if it had been really endeavoured, it had been but an Endeavour towards that which was directly put in Execution by the Tumults, and Those countenanced by the Refusall of the House of Commons, not only to punish them, but so much as to joyne with the Lords in a Declaration against the like for the future, and by the stopping the Legall proceedings against Riots by a single order of the House.

The Third is, His Majesties coming in Person to the House of Commons with many armed men to demand their Members to be delivered up. His Majesty confesseth He came, He denies that (to His knowledge) He came accompanied with any men otherwise armed, then with *His* Guard and Pensioners, in the same manner as *He* usually came to the house of Lords, and with some Gentlemen, (as *His* Train when *He* goes to any publique Place is alwayes so wayted on) with their usuall Weapons, their Swords. And if they had been as carefull to Publish what Persons of Quality (as Sergeant Major *Asbly* for one) testified upon their knowledge and Oath, as what meane, unknowne, and unsworne Persons delivered upon their bare Credit, or upon heare-say, it would have appeared to *His* People how little violence was intended by any who came with *Him* however armed; and what Care *He* tooke, and what Orders *He* gave to be sure to prevent any that possibly might have hapned. His Majesty likewise confesseth, That *He* demanded the Members he had accused of high Treason,

son; but puts them withall in mind, that the *House of Commons* had hardly left him any other Course, having by their single Order, the night before intercepted all ordinary proceedings of Justice against them, forbidding all Officers to attatch any Member for any Crime without the consent of the House, and encouraging the People in that Case to assist them against any Officer; though their Priviledges had bin confest'd by a late Petition of both Houses not to extend to Treasons; and though this Order were as illegall & unjustifiable, as not only by His Majesties comming to the House, but even as any thing they would have had the People believe that he intended when he came. But what ever Breach of Priviledge there was in this, His Majesty did not offer to justify it by their preceding breach of Law, but offered them often reparation & satisfaction for it; but it seems nothing but the Ships, Forts, Ports, Magazine and *Militia* of the whole Kingdome would appeare to them a Reparation, for a single, and (this Circumstance considered) perhaps a disputable Breach of Priviledge.

The fourth is the Treason of the *Earle of Stafford*, to bring over the Irish Popish Army to conquer the Kingdom. To this His Majesty replyes, That what ever the *Earle of Strafford* could have said (for this Army he is sure was never brought, nor, that he ever heard, was ever indeavoured to be brought over, either to that or any other purpose) His Majesty cannot see why it might not have remained buried with him, or why any other satisfaction should be given for it, or other security against the like, then the punishment he hath already undergone.

Having given what reasons they can to justify their limitations of His Majesties Propositions, This Declaration in the next place attempts to satisfy that reason insisted on by His Majesty, That it is his Right by Law, (to which they should

should have added, and contrary to Law forced from him) and not being able to deny that, and yet being willing to deny something, they quarrell at the phrase, and deny that this power of disposing the Commands is by Law *Absolutely* vested in His Majesty, and that because he is trusted with them for the Defence and Safety of the Kingdome. His Majesty still justifies what he said himselfe, and yet confesses all they say too, but only denies the Consequence: for no man is absolutely vested in any thing, if being trusted with it to some end hinder him from being so. The House of Commons is trusted with a Preparatory, the House of Lords is trusted with a Judicatory, the King, Lords and Commons are trusted with a Legislative Power, & all these have those trusts vested in them for the publique good; and are not yet all these Trusts absolute, that is, subject to the Controule of no other Power? Is no man absolutely vested in his Good, because all We have We are trusted with for the glory of God? His Majesty meant only that this was so absolutely vested in him by Law, as nothing but a new Law, could without Breach of Law take or hold it from him.

But the Declaration is content to admit that too, only denies it to be a Reason why His Majesty should deny to alter that Law, when by circumstance of Time & Affaires, that Power becomes destructive to the Common-wealth, and safety of the People, the Preservation whereof is the chiefe end of the Law. And His Majesty is equally ready to confesse that it is no Reason, but doth absolutely deny that this is the Case, (insisting that the Circumstances of time and Affaires hath made this power more necessary then ever to remaine in His Majesty for the Protection and safety of His People) and he claimes himselfe to be as absolutely trusted by Law with the finall Judgement, whether it be the

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Case or no, and with a Power of rejecting any such Alteration upon any such Pretence, if it appear but a Pretence to him, as either House is trusted to propose any such Alteration to the other, or both to Him, if it appears to them necessary and convenient.

But saies this Declaration, The two Houses of Parliament being the representative Body of the Kingdom, are the most competent Judges thereof; and saies His Majesty, The representative Body of the Kingdom is indeed, and that is the King, Lords and Commons; else either the Head is no part of the Body, or at least will be no longer then the Body please. Indeed the two Houses in some sense represent the Kingdom, in any action which the Law (which is the Rule of the Kingdom) hath entrusted and enabled them to doe; but either one House or His Majesty doe equally represent it in any thing; which the same Law hath entrusted and enabled Him or them to doe; And for those Actions in which the Law requires the Consent of all three, every one is to be allowed their own severall distinct judgement, for themselves only, and any one without the other two have as much Right as any two, without the Third, to represent the Kingdom, and to be competent Judges of the Case. And His Majesty cannot but take notice how much reason he had not to yeeld to this demand, since the grant of this Demand would be received as an Admission of this Case, and it would Logically enough follow, That if his People cannot be safe and he retain this Power, he doth not deserve to retain any; and if their Demands were granted, and the Army upon their Demands disbanded, this consequence in all Probability would soon be both perceived and prest.

But His Majesty may without prejudice admit both Houses to be the most competent Judges in this particular, and then put them in mind, that before so many things had been done

done by the violent Parly to turne the Tyde of Feares and Jealouies, before they had involved the King and Subject in a common Suffering, and equally destroyed all the Property of the one, and Prerogatives of the other, by Orders and Ordinances, and so there then appeared lesse necessity that this power should remain in the Crowne, either for the Preservation of it selfe or of the people, and little danger appeared to the people if this power were thus shared. The house of Lords did then twice deliver their Judgement, That this power in His Majesty was not become destructive to the Common-wealth and safety of His People, nor the Alteration of this Law necessary, by twice denying to joyn with the Commons in their desire, That part (for the Ships and the Time were not then named) of this power might be shared, and of this Law altered; by which deniall the Commons were forced to Petition for it by themselves. Nor did they only deny it, but both times, in full Houses, after long and free debates, it was carried upon the Question by above Twenty Voyces, and that at a Time when all the Papists Lords had left the Towne, and hardly any Bishops were left uncommitted (Twelve being at once clapt up upon an Accusation of Treason, which they themselves have since been ashamed of enough to wave) who were then the Persons usually represented to the people to be the evill Counsellors of the Lords House, and to whose prevalence it was imputed in the first Remonstrance of the House of Commons, that their good and necessary motions did not passe in that House. And as they denied it twice, so they would have denied it till now, if the Petition of many Thousand poore people about London, (who certainly did not then believe the Lords to be comperent Judges) and the demand of the House of Commons joyn'd to it, to be told the names of those Lords who denied it, and the direct Threats

of so many Petitioners (to which the former Tumults gave sufficient Credit that they would be really executed upon them) had not made many of the Lords to be of his mind who would not dispute with him who commanded thirty Legions, and give way to the potent Minor part to appear the Major, by absenting themselves and suffering them to passe what they pleased. So that neither the Votes which then past to desire these particulars, nor the execution of these Votes, and sealing these particulars, with a violence yet greater then obtained the Votes, nor the multitude of Consequences of the same kind built upon that foundation, can at all be said to have had the authority of both Houses, though most of those Actions have been such, as the Authority even of both Houses, how full and free soever, would not be sufficient to justifie. And this opinion of the Necessity of altering the Law in these Points, was even then at most but the opinion of the House of Commons, awed by a few Members assisted by the Common People, and together with them awing the Lords.

The next pretend heartily to wish, That the Lawes and Statutes of the Kingdome, may be the Rule of what is, or what is not to be done; but how little fruit hath been gathered from this Tree, they say let the experience of the last Eighteen yeares Judge. To this His Majesty replies, That it is true in some sense, they are willing these Laws should be His Rule; that is, That He goe no farther (though they will by no means allow Him to go neer so farre) but almost all their Action, and most of their Demand, and particularly these, doe sufficiently show, that they will not admit of these Lawes and Statutes to be any Rule to them. And how much better fruit they have grafted, then they found growing, and whether they have not made use of the Cure and Remedy of Grievances, a Parliament, to impose more

all kinde of Grievances upon the People in Eighteen Moneths, then can be objected to His Majesty or Ministers upon the Breach, and in the intermission of Parliaments during those Eighteen yeares, let experience be Judge. And it cannot but appeare strange to His Majesty (if any thing could still appear strange to him) That the illegalities under which His Subjects suffered by some of His Ministers, in some part of His Reigne, should be now, and by them, laid as a Charge upon Him, when not only the People have suffered farre greater illegalities and pressures, upon the same, if not lesse pretences, by those who charge Him with them; but when He hath by His acknowledgements, by His ample satisfactions, by the submitting the offenders to punishment how great or neere soever to Him, and by His many and solemn Protestations, given security to His People, That they shall never suffer the like under Him: And when they on the other side as good as professe to the People, that they think themselves obliged to maintain (and consequently are likely to continue) what they have done, because they have done it, and that their Actions shall not be retracted, least some reflection or dishonour fall upon both houses, and least they may seem to pronounce a sentence of Injustice and rashnesse against themselves; this being one of the Reasons given by them, why they cannot re-admit the Members they have expelled. And his Majesty is confident, that his People, when they shall consider both His Ministers Actions and Theirs, and after compare His Ingenuity with their Principles, will easily conceive under whose Governement they are most likely to return to the known Rule of the Law, and to find that ease, and to be continued in those Rights in and to which they were borne, and of the exorbitance of whose Power they have most Reason to have any Feares and Jealousies, and against whom they

have most reason to desire to be secured, that they shall enjoy their Rights.

Nor doe they with more Colour oppose His Majesties Limitations and Conditions, then they defend their owne. They object against His Majesties demand or Limitation of being satisfied in his first Proposition, That if his Ships, Forts, &c. were to be delivered before Disbanding, it must after be left to the pleasure of the Papists, and other evill Counsellors about his Majesty, whether they would disband or not. But his Majesty replies, That He made not His Limitation in these termes, As soon as his first Proposition should be wholly granted to him, But as soon as He should be satisfied in his first Proposition; which left room enough upon debate to have agreed either upon the time of Delivery, or upon sufficient caution, that after the Delivery the Disbanding should unavoidably follow. Nor can His Majesty look upon this objection otherwise then as a Jeast, since if after the performance of part of the Conditions He had refused to performe the rest, He is perswaded that so open a breach of Faith would have given them a farre greater strength, then they had parted with in the Ships and Forts, and have raised against Him a farre greater Army then He should have refused to Disband. They object against His demand of the restitution of Members, that in His Demand no distinction is made of Persons or Offences, when the reason thereof is, that really no distinction can be made, they being all equally innocent, and all equally injuriously expelled, not only for committing no Crime, but for that Duty and Loyalty which deserves both approbation and reward. And if they could make any distinction in this Poynt, or any objection in any other, which might possibly have satisfied his Majesty, why did they not continue the Treaty, and there offer it to, and debate it with his Majesty

jesty, rather then break off the Treaty without giving any Answer to any part of His Majesties Message, and turne themselves wholly to the People, from whom no Returne could possibly be made that might be in order to Peace?

They object against the Reason of this Demand; (That these Members have been expelled only for adhering to His Majesty) That the same Reason may be used for the Judges who adhered to him, by furnishing him with great Summes by illegall judgements about Ship-mony and Monopolies; and that he may as well require the Houses to repeale the Impeachments and proceedings against them. To which His Majesty replyes, That by never having appear'd at all in the favour, Excuse or Extenuation of the fault of those Judges (who are to answer for any unjust judgement, in all which His Majesty left them wholly to their Consciences and whensoever they offended against That, they wrong'd His Majesty no lesse then his People) and by his being yet so carefull of these Lords, and Gentlemen, it may appeare that His Majesty conceives, that those only adhere to him, who adhere to him according to Law. And whether the remaining part of the Houses be not more apt to repeale their own Impeachments and Proceedings against those Judges (if they conceive they might be made of use, and brought to adhere to them) then His Majesty is to require they should, may appeare by their requiring in their fourteen Proposition, That Sir *Iohn Bramston* (impeacht by themselves of so great misdemeanors) may be made Chief Justice; and by their freeing and returning Justice *Berkley* (accused by themselves of high Treason) to sit upon the Bench, rather then free and imploy Justice *Mallet*, who was not legally committed at first, but fetcht from the Bench to Prison by a Troope of Horse, & who after so many months Imprisonment remaines not only unimpeacht, but wholly without

without any knowledge of what Crime he is suspected.

They next object against the Persons in whose behalf the Demand is made. And to this His Majesty replies: That to show how farre he was from having raised this Army, or from intending to imploy it to destroy this Parliament, or the Act for the Continuance thereof, as is falsely and maliciously charged upon him; To avoyd the objection made against him, as if he only pretended to desire to rule by Law, but wou'd really be the only Judge of Law himselfe, and deny all Judgement to both Houses: To show how willing he was that both Houses should be the Judges of what belong'd to them to judge, whensoever they might be in that full and free Condition in which it belong'd to them to be; and to avoyd the Destruction of the Kingdome, which would be occasioned by the Delay of Disbanding, if that were not ended before all the present Differences; His Majesty proposed this way of a full and free meeting in Parliament, and to deferre those many Differences between Him and the remaining part of both Houses (on which he might with Justice have insisted, and which in themselves were necessary to be settled) til they might be settled in that meeting, and insisted for the present only upon that which was necessary for the settling of such a meeting. And in such a Convention, if the Persons now in question should upon Debate have appeared guilty of such Crimes, wherewith this Declaration charges them, as to have deferred the House, (when intolerable Tumults, and unjustifiable Votes drove them from it) to have disobeyed and contemned the Authority of the House for not having submitted their Allegiance to that Authority, to have neglected the Trust reposed in them, (for staying no longer where they could not with freedom discharge it) and to have by practices and hostility endeavoured to destroy both Parliament and People

for having assisted His Majesty, and defended His Person against an Army raised and fighting against Him, His Majesty would have been very well contented if the *Houses* should then Judge so, that they should have been finally expelled, and that the People might enjoy their Interest and freedom of Choice and Election, when it should have been justly devolved to them. But by their declining of this Course it is evident that they well know, in such a full and free meeting, who would appear by most voyces to be the Innocent, and who the Guilty; who the Deserters, and who the Drivers, and that then and there they would as little be able to justify their own Votes, as to condemn these Persons; and therefore having by force got sole possession of the Place, are wisely resolved to admit none to Judge there of what is Law, but onely such of the Major part of whose Judgements they are secure, as having been made Instruments to violate it.

To His Majesties Demand of Security from such Tumults as formerly awed the House, they onely answer; That what is said of awing the Members is a high and dangerous Aspersi^on raised without doubt to invalide the Acts and proceedings of Parliament; but to the known particulars urged by his Majesty they are wholly silent, and neither deny such tumultuous Assemblies to have been, nor the Lords to have twice in vaine complained of them, and desired the House of Commons to joyne with them in a Declaration against them; nor can they deny but the Lords added this Reason, *Least such Assemblies might be derogatory from the good A^{cts} made and to be made in this Parliament*; all which Acts neverthelesse that House undoubtedly did not intend to invalide, either by that Desire or by that Reason. Nor can any man, that hath seen what Proclamations His Majesty hath taken (all which *He* doth now

again renew) for the maintaining of the Laws consented to by His Majesty this Parliament, but sufficiently free his Majesty from the Aspersions of having rais'd this to invalidate those. But if they meane, by their proceedings, the Votes, Orders, Ordinances, and Declarations, wherewith they have almost dayly oppressed *His* subjects, and defamed his Majesty since those Tumults; if they meane the Countenance they have given by personall Contributions, by Oathes, by Commissions of Generalship, and the like to the present Rebellion rais'd against him. He then confesseth, not that He rais'd this Aspersions, but that He declared this Truth, as an Argument of the more evident Invalidity of their present proceedings, which those Tumults (and Apprehensions of the like, and of an Army now in the City to boot) rather than the Inclination of both houses, may appear to have produced. And this appears to be no lesse their Opinion too, by their being so infinitely unwilling to suffer the Members to meet in so secure a manner, that they may be hindered by no Awe from declaring to all the World, whether they were awed before or no; and thence the World may Judge of these mens aversion from all Agreement, when in order to so blessed a thing as Peace, they refuse so just a Demand as Security.

They next object against adjourning Twenty miles from *London*, and in the first place they object against it, That in making that a Condition of Disbanding to which by Law they are not bound to consent, His Majesty requires a new Law by Arms: in which they are wholly deceived, for His Majesty never made it a Condition: To have Security for Himselfe and both houses from Tumults (which they cannot deny to have been, and against which notwithstanding they doe not offer any other kind of security) His Majesty did demand as a Condition, (and Security is undoubtedly
His

His Majesties due by Law) but the Adjournment was only exprest as that which His Majesty only conceived to be the only Security; not but if they could find a better or but another way, His Majesty would as readily approve of it. But His Majesty appeals to the World, whether His Majesty ought to have done lesse for his Safery and that of the Members, and the freedome of their vote, then to demand Security against Tumults; Whether he could doe more for Peace, then to be ready to accept any sufficient Security that they should offer, and withall to be industrious to find out a fit meanes for that Security himselfe, and to propose it in so large a manner to them, as to leave them to chuse their owne Place out of all the rest of *England*; and whether on the other side, they could doe lesse toward either, then not to grant the Security when they cannot deny the danger, and not only not to seek after and offer any one way that might secure, but so absolutely to refuse that reasonable way of Security which is offered to them; Whether the Inconvenience of removing Records Twenty miles ought to be in any Ballance with the miseries of a Warre; Whether the avoyding of this (but Tacite) Confession of that Truth, (which they call a scandall, but can never prove one) that His Majesty was forced for his Safery to withdraw from His Parliament, (of which the Army raised without his Consent, to bring in Triumph to the Houses Persons accused of high Treason by him, were alone a sufficient Testimony) & that the Members were awed (when their names were sometimes demanded, and sometimes posted, their persons laid hands on, and the tumultuous Multitude neither punished nor discomred and so much as by a Declaration;) Whether the feare least *London* (in which and by a part of which all this was done) should seeme to suffer under a Charge; And lastly, whether the Doubt least in any Place

out of *London* His Majesty should again come to the House of Commons with armed men, (upon what appearance of Right, after what Orders against his known Right, & with how little either Intention, Offer, or Colour of violence He came thither having been showed before,) can appear a sufficient Reason for their Resolution against such an Adjournment, in order to the publique Peace; And whether although there were no necessity of it but His Majesties desire, (who out of compliance with them hath put the absolute Power out of his own hands, not only of adjourning the Parliament whither, but of dissolving it when he pleas'd) it might not seeme no unreasonable Request after so large a Grant?

Their last part is, to prove His Majesties Aversion to Peace by severall Circumstances. The first is, his having denied to receive their Petitions; which His Majesty never did, for if they meane (which was all he ever did towards any Refusall) his refusing to receive any from or by any Person accus'd of high Treason by him, (when they had other and more direct wayes of sending to him, as they had then by the *Earle of Essex*, if they had not gone out of their way out of desire to have it refus'd.) They may as well say He hath refused all that have ever since come to him from them, for he continued alwayes to make that Exception: and if their hope of present and totall victory, had not made them insist upon that before *Edgehill*, which they quitted after, the Petition, offered to have been sent from my Ld of *Essex* from the head of his Army, had been then received too by any other kind of hand: though if His Majesty were rightly informed of the Contents of that Petition, neither their offer of such a Petition could show any inclination to Peace in them, nor could his absolute Refusall have showed any Aversion to it in His Majesty.

The second is, That their Committee must not, without a specull safe Condu&t and Protection from him, have Access to him, a liberty incident to them not only as Members of the Parliament, and imployed by both Houses, but as they were free born Subjects. To this His Majesty replies, That he never denyed their Committee to have access to him without a safe Condu&t ; nor did he ever so much as mention any to them. The first Motion concerning a safe Condu&t was in a letter from the Lord Grey of Warke Speaker *pro tempore* of the Lords House, to either of His Majesties Secretaries, dated the third of November, 1642. desiring one for that Committee which after attended His Majesty at *Colebrooke*; and the same was againe desired for the Committee appointed to treat at *Oxford*, by a letter from the Earle of *Manchester* Speaker of the same House to the Lord *Falkland*, dated the 28, of *February*. And must it not seeme strange to all the World, that His Majesties granting of that which both Houses in order to the Treaty askt of Him, should be after charg'd upon Him as a provocation laid in the way to interrupt or break off the Treaty ? And since undoubredly (and that reasonably) it would have been interpreted Aversion in His Majesty from Peace, if he had denyed this when it was askt; His Condition was very hard, when, it seemes, He could not either way have avoyded this imputation, whether He had denyed or granted it. But His Majesty desires His Subjects to consider the great difference between what His Majesty hath cause to complain of, and what they doe. Mr. *Alexander Hampden* imployed by His Majesty with an Olive branch a Message for Peace, directed to both Houses, inclosed in a letter to the Speaker of the Lords House, having His Majesties Passe, testifying that he was so employed, having delivered this Message to the Lords House, and that House having recei-

ved it as a gracious Message, is committed by the House of Commons (notwithstanding the Liberty of Accessse said to be incident to all Free-borne Subject) for not having a safe Conduet from their Generall upon preence of an Order of that House, but lately made, and never past the Lords, nor published by themselves; and notwithstanding that the Lords at a conference desired the Messenger's Release, upon the aforesaid Reasons, and that he was sent to them, and that their own Messengers had diverse times of late gone to *Oxford* in the same manner, and none of His Majesties had come otherwise, yet the only answer returned was, *That they would stand to their own Order.* Upon which His Majesty cannot but observe, First that how great Authority soever both Houses expect to have with His Majesty, yet one House hath but a little one with another. Secondly, That the Priviledge of that House is as little considered as their intercession, since undoubtedly, if the Lords (who in many Cases have power to commit, which the House of Commons hath not over more then their owne Members, in any Case but of breach of Priviledge) had committed a Messenger sent to the House of Commons (especially from any to whose Messengers they paid halfe that respect which they owe to His Majesties upon an Order only of their own House, and having committed him without their consents, should not release him at their desire, it would have been lookt upon by them as no lesse a Breach of Priviledge, then His Majesties coming to their House. Thirdly, That by this His Majesty hopes that the violent Party doth now see better times are not farre off, since he is told by this very Declaration, that *evill Spirits doe their rage now, when they thinke they must be cast out.*

The grounds of their Third and Fourth (for such as have been taken notice of by the by, and replyed to before, need

need not be repeated) are these. During the Treaty two Proclamations issued at *Oxford* against Associations, and raising of Forces and Taxes by virtue of Ordinances, in which His Majesty charges a Trayterous and Rebellious Army of Brownists, Anabaptists, and Atheists (but not both Houses, as, for want of being charged, they charge themselves) to endeavour to take away His Life, and the Religion and Laws of the Kingdome. And some Letters were intercepted, by which, they say, it probably appears to the n, that His Majesty had then designs upon *Killingworth*, *Scarborough*, and *Bristol*. But His Majesty thinks it strange that it should be expected, That this Treaty should have so much influence on one side, and so little on the other, that during the Treaty, Taxes may be illegally laid and levied, and His Majesty may not Legally forbid them; That Souldiers of the Earle of *Essex* his Army may dayly raile against Episcopacy, break into Churches, pull downe Organs and Monuments, tear Surplices and Common-Prayer-Books, and His Majesty may not call them Brownists; That that Army may goe on dayly during the Treaty in overt Acts of Rebellion and Treason, and it must be an Interruption of the Treaty in His Majesty to call them Rebels and Traytors; That He may not say they endeavour to take His Life, who hath shot at Him, as often as He hath come within Cannon shot of them; And that the Treaty should not oblige them from taking any Town or Castle of His Majesties from Him, and yet His Majesty be obliged by it neither to regain any of His owne Towns, or receive any of His own Castles; That Sir *William Waller* may really take *Malmesbury* and *Wexbury*, and His Majesty must not so much as think of *Scarborough* or *Bristol*; upon which City as His Majesty doth avow to have had a Deigne to recover from the Rebels, so He absolutely denies it to have been either

either bloody or barbarous, Epithetes which they are pleased to give it, but for what reason *He* cannot imagine, *His* Majesty abhorring all thought of what is Printed at *London*, That it was intended, Man, Woman, and Childe, should have been all killed in that Town, that had not such a Word or wore not such a Ribband: Though some word or mark might well be agreed on, not with intention to Kill all that had it not, but that more particular care might be taken of their Protection that had it, not only from all danger, but from all disrespect. But the execution upon cold blood of some of the principall Citizens of that City for their Loyalty to *His* Majesty, upon a single Order, without the least Colour of any Legall Proceedings, will appeare to all men most barbarous and bloody, and such a Murther, as *His* Majesty must not leave unrevenge, nor can *His* Subjects look upon otherwise, then as purposely now committed to make Peace yet more impossible, and as an earnest of that intollerable Arbitrary Government, which they must alwayes expect to suffer under, if that violent party should prevaile.

Since therefore, notwithstanding these frivolous Objections, *His* Majesties desire of Peace (by his earnestnesse for it both before, and during, and after the Treaty) doth sufficiently appeare; and since their inclination to the contrary (by their most earnest and utmost endeavours to hinder both the beginning, continuance, and renewing of the Treaty) is no lesse evident; since in the Treaty *His* Majesties maine aime was the immediate disbanding of the Armies, and that Differences might be debated in a full and free Convention in Parliament, and that to that end the Parliament might be restored to the naturall and genuine condition, and all things only restored into that state wherein they were when the houses were full and free; since his Majesty askt nothing that

that they could deny to be due to *Him* by Law, and *His Majesty* denied nothing that themselves could claim by Law to belong to them, nor any one thing of that publique necessity or value as deserves the shedding of one Drop of that Sea of Blood which will be spent in this unnaturall Quarrell; since *His Majesty* made the last most reasonable Proposition, and they will neither suffer it to be granted nor debated, and Three Messages of *His Majesties* cannot obtaine one Answer, *His Majesty* hopes that the Scales will now fall from the eyes of *His* most blindly seduced Subjects, and they will now be able to discern both their Duty and their Interest by so cleare a Light; that it will be no longer in the power of this violent Party, to ingage them to be Wicked, that they may be Miserable, and by opposing Justice, to destroy Peace. And *His Majesty* doth most earnestly conjure those, whose fault hath hitherto proceeded rather from want of Heate, then want of Light, who out of too much Care of their private safety have been either meerly lookers on, or have at once dislik't and discountenanc't these Courses, that they at last rouse up their Courage to take part with their Conscience, and feare to be Damned more then to be Plundered, and consider, That if they will desert and oppose that party whom their Tameness only makes considerable, and unite themselves with but halfe that Industry to defend *His Majesty*, and the Religion and Law establish't, which the others use to destroy them all, they may avoyd the One and be in no danger of the Other, their numbers being such, that if they once but knew one another, by meerly joyning to appeare to thinke as they doe, they might speedily end this (truely sty'ed by them) the worst kinde of Warre, both as it is of English against English, and of Subject against the r Prince. But if they shall still suffer themselves to be carried away with the Streames, they will

by that suffer the Power of the violent Popular Party to
 take to deep root (by being seized of all the Arms, Ships,
 and strong places of the Kingdom) that if they should hap-
 pen to prevail in this Warre against *His Majesty*, they will
 (in delight not only of Them, but of their present Rulers,
 if they should be willing to divert them) extirpate the Law,
 Root and Branch, alter the whole frame of Governement,
 introduce Democracy, Independance and Parity, and leave
 neither King, Church, nor Gentleman: and (besides that
 they will then appear to themselves guilty of all this in-
 tollerable Innovation, which they have not timely enough
 opposed) this party will then forget that they did not op-
 pose them at all, and remember that they did assist them but
 a little, will distinguish between those who assisted them
 out of Zeale and out of Feare, and who are now call'd mo-
 derate, they will then call Malignant, and the inequality,
 Injustice, and Oppression they will then endure, will too
 late discover to them to their Costs, That they have undone
 themselves with too much Discretion, and obtain'd nothing
 by their unjustifiable cautious Compliance, but to be de-
 stroyed last.

F I N I S.
